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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.2721 of 2007

Adoptions from the Heart.....Petitioner

Versus

State of Maharashtra & Ors. ....Respondents

Mr. Abhay Nevagi with Mr. Yogesh Parangape i/b. Paras Kuhad
& Associates for the Petitioners
Mr. P.I. Khemani, AGP for respondent No.1.
Mr. O. Hareendran, Scrutiny Officer of Respondent No.3
present in person.

CORAM : F.I. REBELLO &
R.M.SAVANT, JJ.
DATED : 16TH APRIL, 2007.

P.C.

. Rule. Heard forthwith.

2. The petitioners have approached this Court as the license of the agency from whom the child was to be taken in adoption has been suspended.

. Similar other matters had appeared before us namely order dated 3rd April, 2007 in Writ Petition No.2183 of 2007. We have heard Shri O.Hareendran, Scrutiny Officer, Indian Council of Social Welfare. In that petition we had observed that merely because the licence of the agency is suspended, that by itself should not stand in the way of the Court considering the application of the petitioner if the petitioner is eligible and satisfies the Court that he complies with the criteria laid down. The learned Counsel points out that the child is in need of medical care. All

formalities are complete and as such the Family Court be directed to complete the process at the earliest.

3. Considering the above in our opinion the ends of justice will be met if the Family Court is directed to complete the entire process within one month from today.

Order accordingly.

4. Considering that when this Court has already considered the issue of Family Courts/District Courts of agencies which licenses have been suspended, the Family Courts/District Courts on the facts of each case to decide the application on merits, without waiting for the parties to move this Court for orders as passed today.

5. Rule made absolute accordingly. No order as to costs.

(**F.I.REBELLO**, J)

(**R.M. SAVANT,J)**